

and asked leave of the House to sit again at 9:00 o'clock a. m., tomorrow.

The motion prevailed.

#### REQUEST OF COMMITTEE OF THE WHOLE HOUSE GRANTED

On motion of Mr. Leonard, the House granted the request of the Committee of the Whole House to sit again at 9:00 o'clock a. m., tomorrow.

#### RECESS

On motion of Mr. Leonard, the House, at 10:25 o'clock p. m., took recess to 9:00 o'clock a. m., tomorrow.

#### APPENDIX

#### STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

Conservation and Reclamation: House Bill No. 60.

Criminal Jurisprudence: House Bills Nos. 156 and 223.

Commerce and Manufacturers: House Bill No. 57.

Education: House Bill No. 163.

Game and Fisheries: House Bills Nos. 428, 457, 462, 503, 509, 515 and 566.

Highways and Motor Traffic: House Bill No. 447.

Insurance: Senate Bill No. 81.

Judiciary: House Bills Nos. 78, 85, 109, 488, 489, 491, 492, 493, 494, 495, 496, 497 and 551.

Labor: House Bill No. 586.

Privileges, Suffrage and Elections: House Bill No. 369.

Revenue and Taxation: House Bill No. 102.

State Affairs: House Bill No. 263.

The following committees have filed adverse reports on bills, as follows:

Criminal Jurisprudence: House Bills Nos. 178 and 220.

Judiciary: House Bills Nos. 20, 289 and 290.

#### REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,  
Austin, Texas, February 17, 1937.  
Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 36, Instructing the Enrolling Clerk of the House of Representatives to make the caption of House Bill No. 89 conform to the Senate amendments to the body of the bill.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

#### REPORT OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,  
Austin, Texas, February 17, 1937.  
Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 10, "An Act to fix the salaries of the Judges of the various District Courts and of the Criminal District Courts of this State; repealing that portion of Section 1, of House Bill No. 417, Chapter 355, of the Acts of the Regular Session of the Forty-fourth Legislature which fixes the salaries of said Judges, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

#### TWENTY-SECOND DAY

(Continued)

(Thursday, February 18, 1937)

The House met at 9:00 o'clock a. m., and was called to order by Speaker Calvert.

#### IN COMMITTEE OF THE WHOLE HOUSE

(Mr. McKinney in the Chair.)

At 9:00 o'clock a. m., Mr. Tarwater moved that the House resolve itself into a Committee of the Whole House, for the purpose of hearing contest of election heretofore filed by Hon. E. E. Hunter against Hon. John K. Russell.

The motion prevailed.

The House accordingly, at 9:00 o'clock a. m., resolved itself into a Committee of the Whole House for the purpose of hearing the contest of election.

## IN THE HOUSE

(Mr. McKinney in the Chair.)

At 10:45 o'clock a. m., Mr. McKinney, Chairman of the Committee of the Whole House, reported to the House, that the Committee desired to rise, report progress and asked leave of the House to sit again at 2:00 o'clock p. m., today.

**REQUEST OF THE COMMITTEE  
OF THE WHOLE HOUSE  
GRANTED**

On motion of Mr. Leonard, the House granted the request of the Committee of the Whole House to sit again at 2:00 o'clock p. m., today.

**HOUSE BILLS ON FIRST READING**

The following House bills, introduced today (by unanimous consent), were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Wood:

H. B. No. 588, A bill to be entitled "An Act validating all cities of less than five thousand heretofore incorporated or attempted in good faith to be incorporated under the General Laws of the State of Texas under the commission form of government; validating all elections, election orders, election proceedings, affidavits and orders of incorporation and all governmental proceedings performed in good faith by the governing bodies of such cities or towns since their incorporation, or attempted incorporation; providing the provisions hereof shall affect no city or town now in litigation, and declaring an emergency."

Referred to the Committee on Municipal and Private Corporations.

By Mr. Vale and Mr. Dollins:

H. B. No. 589, A bill to be entitled "An Act amending the charter of the City of Kingsville so that its city limits will include a parcel of land approximately three city blocks lying immediately south of the original campus of the Texas College of Arts and Industries; being a dormitory site recently purchased for the State of Texas by the Board of Directors of the Texas College of Arts and Industries; and thereby providing better police and fire protection to the properties now erected on this land, and declaring an emergency."

Referred to the Committee on Municipal and Private Corporations.

By Mr. Bridgers, Mr. Hankamer and Mr. Jackson:

H. B. No. 590, A bill to be entitled "An Act authorizing Commissioners' Court of all counties in Texas to provide for the establishment and completion of soil erosion projects, and construction and maintenance of improvements in connection therewith, within such counties and to cooperate with the United States Government in such projects, and to pay the counties share of the cost of such projects out of the road and bridge fund of such counties, and authorizing the Commissioners' Courts of all counties in Texas to make cooperative agreements in reference thereto with any department of the United States Government, and providing for the approval of such agreements by the Land Commissioner of Texas, in the case of State Lands and Public Free School Lands, and by the Board of Regents, or its authorized agents as to University Lands, and declaring an emergency."

Referred to the Committee on Conservation and Reclamation.

By Mr. Patterson of Travis:

H. B. No. 591, A bill to be entitled "An Act to create a Soldiers' and Sailors' Home in the State of Texas, providing that said home shall be operated in conjunction with the Confederate Home at Austin, Texas, and placing the operation thereof under the supervision of the State Board of Control; providing that inmates may be discharged for admission procured by fraud or misrepresentation and determining eligibility for admission; providing for deposit of pensions or other compensation received from the United States Government with Superintendent and determining expenditure thereof, and providing that wife of ex-service men may be admitted to residence, and where wife of ex-service man is admitted, then such pension or compensation received shall be deposited with superintendent under rules and regulations promulgated by the State Board of Control for expenditure for her benefit, and providing further for the care and maintenance of inmates, . . . etc., and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Alexander and Mr. Tarwater:

H. B. No. 592, A bill to be entitled "An Act creating the Upper Red River Flood Control and Irrigation District, a conservation and reclamation district, to be a governmental agency, body politic, and corporate; prescribing and limiting the powers, rights, privileges, functions and liabilities of such District and prescribing the manner of their exercise, and providing the powers and duties of such District shall be subject to the continuing rights of supervision by the State through the State Board of Water Engineers, and the State Reclamation Engineer; making an appropriation; declaring the Act to be severable, and declaring an emergency."

Referred to the Committee on Conservation and Reclamation.

By Mr. Leonard:

H. B. No. 593, A bill to be entitled "An Act creating the office of Criminal District Attorney in all counties having a population of not less than 75,001 nor more than 77,100, and not containing a city of more than 40,000 inhabitants as determined by the last preceding Federal Census, and in which counties there are one or more Judicial Districts and, in which the County Attorney performs the duties of County Attorney and District Attorney, and in which there is not now a District Attorney; providing that the present County Attorney in those counties shall qualify as Criminal District Attorney, remain in office for the period such officer would have held his office as County Attorney had this Act not been passed; . . . etc., and declaring an emergency."

Referred to the Committee on Judicial Districts.

By Mr. Mays:

H. B. No. 594, A bill to be entitled "An Act amending Section 3 of Chapter 88, Acts of the Forty-first Legislature, Second Called Session, as amended by Section 1 of Chapter 3, Acts of the Forty-third Legislature, Second Called Session, as amended by Section 1 of Chapter 51, Acts of the Forty-fourth Legislature, Regular Session, so as to provide that vehicles owned and operated by bona fide orphans homes, shall pay a registra-

tion fee of \$5.00 only; repealing all laws in conflict, and declaring an emergency."

Referred to the Committee on Highways and Motor Traffic.

By Mr. Mays:

H. B. No. 595, A bill to be entitled "An Act amending Chapter 42, Acts of the Forty-first Legislature, Second Called Session, as amended by Section 7, Chapter 282, Acts of the Forty-second Legislature, Regular Session, so as to provide that the limitation as to length, height and load of vehicles shall not apply to vehicles owned and operated by bona fide orphans homes and used exclusively for the purpose of picking up and transporting donations of goods, wares and merchandise to such homes; repealing all laws in conflict, and declaring an emergency."

Referred to the Committee on Highways and Motor Traffic.

By Mr. Kenyon:

H. B. No. 596, A bill to be entitled "An Act to permit any county containing a population of not less than five thousand five hundred (5,500) nor more than five thousand eight hundred (5,800) according to the last preceding Federal Census to adopt by majority vote of qualified voters of such county a county unit system to the extent provided in this Act; making provisions for the formation of a county wide school district therein; . . . etc., and declaring an emergency."

Referred to the Committee on Education.

By Mr. Stevenson and Mr. Smith of Tarrant:

H. B. No. 597, A bill to be entitled "An Act to amend Article 7009, Revised Civil Statutes of Texas, 1925, increasing the term of office for the members of the Live Stock Sanitary Commission of the State of Texas from two to six years so that one term of office will expire each two years; providing for the appointment of a Chairman of said Commission, and declaring an emergency."

Referred to the Committee on Livestock and Stock Raising.

By Mr. Leath:

H. B. No. 598, A bill to be entitled "An Act amending Article 2700 of

the Revised Civil Statutes of Texas, 1925, increasing the allowance for office and traveling expenses for County Superintendent of Rusk County to not exceeding \$900.00 per annum, and declaring an emergency."

Referred to the Committee on Education.

By Mr. Tarwater, Mr. Morris, Mr. Keefe, Mr. Keith, Mr. McDonald, Mr. England, Mr. Hull and Mr. Cathey:

H. B. No. 599, A bill to be entitled "An Act providing for the organization of cooperative, non-profit, membership corporations for the purpose of engaging in rural electrification; defining terms; defining the powers and duties of such corporations; providing for the number of incorporators; providing the manner in which such corporations may be organized and prescribing the contents of the articles of incorporation; prohibiting the use of the words 'Electric Cooperative' by other corporations; providing for the execution, filing and recording of articles of incorporation and for the renewal of articles of incorporation; . . . etc., and declaring an emergency."

Referred to the Committee on Agriculture.

By Mr. Lucas, Mr. Davis of Jasper, Mr. Mays, Mr. Westbrook, Mr. Keefe, Mr. Kern, Mr. Harbin, Mr. Weldon, Mr. Rhodes, Mr. Hardin, Mr. Huddleston, Mr. Harris of Dickens, Mr. McDonald, Mr. Prescott, Mr. Jones of Angelina, Mr. Bates, Mr. Davisson of Eastland, Mr. Kelt, Mr. Harper, Mr. Johnson of Ellis, Mr. Wood, Mr. Oliver, Mr. Deglandon, Mr. Talbert, Mr. Fielden, Mr. Smith of Matagorda, Mr. Patterson of Mills, Mr. Vale, Mr. Sewell and Mr. Davis of Haskell:

H. B. No. 600, A bill to be entitled "An Act to amend Chapter 350, Acts of Forty-fourth Legislature, being the Rural Aid Appropriation, by providing additional appropriation for carrying out provisions of said Act; repealing all conflicting laws, and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Skaggs:

H. B. No. 601, A bill to be entitled "An Act providing that the local Bar Association in each county, or the District Judge in any county where

no Bar Association is organized, may make exceptions to the rules of the Supreme Court of this State relating to the period of registration required of persons applying to take the State Bar Examination, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Skaggs:

H. B. No. 602, A bill to be entitled "An Act amending Article 3899 of the Revised Civil Statutes of Texas, 1925, as amended by Chapter 220, Acts of the Regular Session of the Forty-third Legislature, and as amended by Chapter 311, Acts of the Regular Session of the Forty-fourth Legislature, and as amended by Chapter 465, Acts of the Second Called Session of the Forty-fourth Legislature; providing that county attorneys who perform the duties of district attorneys in certain counties may incur certain expenses in investigating crime and accumulating evidence in criminal cases, and for the payment for mileage traveled by said county attorneys in automobiles furnished by them in the discharge of their official duties; providing that this Act shall be cumulative of all laws not in conflict herewith, and declaring an emergency."

Referred to the Committee on Counties.

By Mr. King and Mr. Jones of Wise:

H. B. No. 603, A bill to be entitled "An Act to appropriate money from the General Revenue Fund to pay judgment for the sum of Twelve Hundred (\$1,200.00) Dollars against the State of Texas in favor of R. L. Winder in cause No. 52982 in the 126th District Court of Travis County, and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Adkins:

H. B. No. 604, A bill to be entitled "An Act creating a special law for San Saba County, Texas, providing that said County may fund certain warrants outstanding against its road and bridge fund as of February 15, 1937, by the issuance of funding bonds, and setting forth the method of issuing same; validating all acts of the Commissioners' Court and of the county officials of said County in authoriz-

ing, issuing and delivering said warrants; providing that the general laws pertaining to roads and bridges shall be applicable to said County, when not in conflict herewith; repealing all laws in conflict herewith; enacting provisions incident to and relating to the subject and purpose of this Act, and declaring an emergency."

Referred to the Committee on Highways and Motor Traffic.

#### ADDITIONAL SIGNERS OF BILLS

By unanimous consent of the House, the following Members were authorized to sign bills, as co-authors of same, as follows:

Mr. Smith of Tarrant, House Bill No. 597.

Mr. King, Mr. Keefe, Mr. McKinney, Mr. Callan, Mr. Vale, Mr. Bradford, Mr. Ross, Mr. Hardin, Mr. Leyendecker, Mr. Moffett, Mr. Boethel, Mr. Alexander, Mr. Mays, Mr. Riddle, Mr. Jones of Atascosa, Mr. Harris of Archer, Mr. Amos, Mr. Morse, Mr. Heflin, Mr. Leath, Mr. Hartzog, Mr. Newton, Mr. Smith of Matagorda, Mr. Thornton, Mr. Smith of Tarrant, Mr. Skaggs, Mr. Harper and Mr. Davis of Jasper, House Bill No. 158.

#### BILL ORDERED NOT PRINTED

On motion of Mr. Carssow, Senate Bill No. 81 was ordered not printed.

#### MOTION TO RECOMMIT HOUSE BILL NO. 339

Mr. Petsch moved that House Bill No. 339 be recommitted to the Committee on Judiciary.

Mr. Thornton moved to table the motion to recommit.

Mr. Alsup raised a point of order, on further consideration of the motion by Mr. Petsch, on the ground that the time for the making of routine motions has expired.

The Speaker sustained the point of order.

#### LEAVES OF ABSENCE GRANTED

(By unanimous consent)

Mr. Cleveland was granted leave of absence for today, on account of illness, on motion of Mr. Hamilton.

Mr. Stocks for today, on account of illness in his family, on motion of Mr. Davis of Haskell.

#### MESSAGE FROM THE SENATE

Austin, Texas, February 18, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House the Senate has concurred in House amendments to Senate Bill No. 188 by the following vote:

Yeas, 29; nays, 0.

Adopted

H. C. R. No. 36, Authorizing the Enrolling Clerk of the House to make certain corrections to House Bill No. 89.

S. C. R. No. 32, Thanking citizens of Lubbock.

Respectfully,

BOB BARKER,

Secretary of the Senate.

#### SENATE BILL NO. 81 ON SECOND READING

Mr. Carssow moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 81 be placed on its second reading and passage to third reading, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—122

Adkins	Dickison
Alsup	Dollins
Amos	England
Bates	Felty
Beckworth	Fielden
Bell	Fox
Blankenship	Fuchs
Boethel	Graves
Bond	Hamilton
Boyer	Hankamer
Bradbury	Hanna
Bradford	Harbin
Bridgers	Hardin
Broadfoot	Harper
Burton	Harris of Archer
Cagle	Harris of Dallas
Callan	Harris of Dickens
Carssow	Hartzog
Cathey	Heflin
Celaya	Herzik
Davis of Haskell	Holland
Davis of Jasper	Hoskins
Davison of Fisher	Howard
Davisson	Hyder
of Eastland	James
Dean	Johnson of Ellis
Deglandon	Johnson
Derden	of Tarrant

Jones of Angelina	Patterson
Jones of Atascosa	of Travis
Jones of Falls	Powell
Jones of Wise	Prescott
Keefe	Quinn
Keith	Ragsdale
Kern	Reed of Bowie
King	Reed of Dallas
Langdon	Rhodes
Lankford	Riddle
Lanning	Roark
Leath	Russell
Leonard	Rutta
Little	Schuenemann
Loggins	Sewell
London	Shell
Lucas	Simpson
Mann	Smith of Hopkins
Mauritz	Smith of Tarrant
Mays	Stevenson
McConnell	Stinson
McCracken	Talbert
McDonald	Tarwater
McFarland	Tennant
McKinney	Tennyson
Metcalfe	Thornberry
Moffett	Thornton
Monkhouse	Vale
Morris	Waggoner
Morse	Walker
Nicholson	Weldon
Oliver	Westbrook
Palmer	Winfree
Patterson of Mills	Wood
	Worley

## Absent

Alexander	Knetsch
Baker	Leyendecker
Brown	Newton
Cauthorn	Petsch
Colquitt	Pope
Farmer	Reader
Gibson	Ross
Harrell	Settle
Huddleston	Sharpe
Hull	Skaggs
Jackson	Smith
Kelt	of Matagorda
Kenyon	

## Absent—Excused

Cleveland	Stocks
McKee	

The Speaker then laid before the House, on its second reading and passage to third reading,

S. B. No. 81, A bill to be entitled "An Act declaring all fraternal benefit societies, organized or licensed under the provisions of Chapter 8, of Title 78, of the Revised Civil Statutes of Texas, to be charitable or benevolent

institutions and exempting the funds of all such fraternal benefit societies from all and every State, county, district, municipal and school tax, including occupation taxes, other than taxes on real estate and office equipment when same is used for other than lodge purposes, and declaring an emergency."

The bill was read second time.

Mr. Jones of Wise offered the following amendment to the bill:

Amend Senate Bill No. 81, by striking out in the last line of Section One the following: "when used for other than lodge purposes."

On motion of Mr. Bond, the amendment was tabled.

Senate Bill No. 81 was then passed to third reading.

## SENATE BILL NO. 81 ON THIRD READING

The Speaker then laid Senate Bill No. 81 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—133

Adkins	Dollins
Alexander	England
Alsop	Felty
Amos	Fielden
Baker	Fox
Bates	Fuchs
Beckworth	Gibson
Bell	Graves
Blankenship	Hamilton
Boethel	Hankamer
Bond	Hanna
Boyer	Harbin
Bradbury	Hardin
Bradford	Harper
Bridgers	Harris of Archer
Broadfoot	Harris of Dallas
Burton	Harris of Dickens
Cagle	Hartzog
Callan	Heflin
Carsow	Herzik
Cathey	Holland
Celaya	Hoskins
Colquitt	Howard
Davis of Haskell	Huddleston
Davis of Jasper	Hyder
Davison of Fisher	James
Davisson	Johnson of Ellis
of Eastland	Johnson
Dean	of Tarrant
Deglandon	Jones of Angelina
Derden	Jones of Atascosa
Dickison	Jones of Falls

Jones of Wise	Powell
Keefe	Prescott
Keith	Quinn
Kelt	Ragsdale
Kern	Reed of Bowie
King	Reed of Dallas
Langdon	Rhodes
Lankford	Riddle
Lanning	Roark
Leath	Ross
Leonard	Russell
Little	Rutta
Loggins	Sewell
London	Sharpe
Lucas	Shell
Mann	Simpson
Mauritz	Skaggs
Mays	Smith of Hopkins
McConnell	Smith
McCracken	of Matagorda
McDonald	Smith of Tarrant
McFarland	Stevenson
McKinney	Stinson
Metcalfe	Talbert
Moffett	Tarwater
Monkhouse	Tennant
Morris	Tennyson
Morse	Thornberry
Newton	Thornton
Nicholson	Vale
Oliver	Walker
Palmer	Weldon
Patterson of Mills	Westbrook
Patterson	Winfree
of Travis	Wood
Petsch	Worley
Pope	

**Absent**

Brown	Knetsch
Cauthorn	Leyendecker
Farmer	Reader
Harrell	Schuenemann
Hull	Settle
Jackson	Waggoner
Kenyon	

**Absent—Excused**

Cleveland	Stocks
McKee	

Mr. Carssow moved to reconsider the vote by which Senate Bill No. 81 was passed, and to table the motion to reconsider.

The motion to table prevailed.

### BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills and resolutions:

S. B. No. 188, "An Act validating and legalizing bonds issued by counties for the construction of roads within such counties and the levy of taxes for payment of such county bonds; authorizing the assessment and collection of general ad valorem taxes in all such counties for the payment of such county bonds now outstanding or hereafter issued, and declaring an emergency."

S. B. No. 81, "An Act declaring all fraternal benefit societies, organized or licensed under the provisions of Chapter 8, of Title 78, of the Revised Civil Statutes of Texas, to be charitable or benevolent institutions and exempting the funds of all such fraternal benefit societies from all and every State, county, district, municipal and school tax, including occupation taxes, other than taxes on real estate and office equipment when same is used for other than lodge purposes, and declaring an emergency."

S. C. R. No. 31, Concerning Joint Session in regard to address by Honorable Harold L. Ickes.

H. C. R. No. 36, Authorizing certain correction in House Bill No. 89.

H. B. No. 89, "An Act making it unlawful to take or kill wild deer or wild turkey in the Counties of Harrison, Marion, Cass or Bowie for a period of five (5) years; describing penalty for violation of this Act, and declaring an emergency."

### SENATE BILL NO. 1 ON SECOND READING

On motion of Mr. Alexander, the Twenty-four Hour House Rule, relative to the consideration of printed bills, was suspended, at this time, for the purpose of considering Senate Bill No. 1.

The Speaker then laid before the House, on its second reading and passage to third reading,

S. B. No. 1, A bill to be entitled "An Act repealing Article 6203, Revised Civil Statutes of 1925 as amended by Chapter 45, Acts of the Forty-first Legislature, First Called Session; Chapter 9, Fourth Called Session of the Forty-first Legislature, and Chapter 11, Fifth Called Session of the Forty-first Legislature, creating a Board of Pardons and Paroles, fixing their terms of office, providing a method of appointment thereto and authorizing recess appointments;

limiting the power of the Governor in the matter of reprieves, commutations of punishment and pardons; providing for one reprieve of not more than thirty (30) days in any capital case; empowering the Governor to revoke paroles and other forms of clemency and establishing rules and regulations to govern each action; fixing the salaries of the members of the Board of Pardons and Paroles and providing for traveling expenses and accommodations; prescribing their duties, providing for their offices, fixing their places of meeting and empowering them to employ a secretary and other assistants, etc., and declaring an emergency."

The bill was read second time.

Mr. Alexander offered the following committee amendment to the bill:

Amend Senate Bill No. 1, by striking out all below the enacting clause and substituting therefor the following:

"Section 1. Repealing Clause. That Article 6203, Revised Civil Statutes of 1925, as amended by Chapter 147, Acts of the Fortieth Legislature; Chapter 45, Acts of the First Called Session, Forty-first Legislature; Chapter 9, Acts of the Fourth Called Session, Forty-first Legislature; and by Chapter 11, Acts of the Fifth Called Session of the Forty-first Legislature; Chapter 4 of Title 12, being Articles 952 to 967 inclusive of the Code of Criminal Procedure, 1925, and all other laws in conflict herewith, be and the same are hereby repealed.

"Sec. 2. Board of Pardons and Paroles Created. There is hereby created a Board of Pardons and Paroles, hereinafter referred to as the Board, to be composed of three members who shall have been resident citizens of the State of Texas for a period of not less than two years immediately preceding such appointment, each of whom shall hold office for a term of six years; provided that of the members of the first Board appointed, one shall serve for two years, one for four years, and one for six years from the first day of February, 1937, and they shall cast lots for their respective terms. One member of said Board shall be appointed by the Governor, one member by the Chief Justice of the Supreme Court of the State of Texas and one member by

the Presiding Justice of the Court of Criminal Appeals; the appointments of all members of the said Board shall be with the advice and consent of two-thirds of the Senate present. Each vacancy shall be filled by the respective appointing power that theretofore made the appointment to such position and the appointing power shall have the authority to make recess appointments until the convening of the Senate.

"Sec. 2a. Duties of Old Board. After the Board, as created and appointed under said constitutional amendment, have taken the oath of office, the outgoing Board of Pardons and Paroles, shall deliver to the incoming Board, all files, stationery, office furniture, fixtures and all other property of every kind and character in its possession and held by said Board under the law creating same.

"Sec. 3. Power of the Governor. In all criminal cases, except treason and impeachment, the Governor shall have power, after conviction, upon the written signed recommendation and advice of the Board, or a majority thereof, to grant reprieves, commutations of punishment and pardons, under such rules as the Legislature may prescribe. Upon the written signed recommendation and advice of the Board, or a majority thereof, he shall have the power to remit fines and forfeitures. The Governor shall have the power to grant one reprieve in any capital case for a period not to exceed thirty (30) days; and, upon the written signed recommendation and advice of the Board, or a majority thereof, he shall have the power to revoke paroles and other forms of clemency, save and except unconditional pardons.

"Sec. 4. Salary of Members. Each member of the Board shall receive an annual salary of Five Thousand (\$5,000.00) Dollars and such traveling expenses and accommodations as are necessary and incurred in the discharge of his official duties. The Board shall have the power to employ and prescribe the duties of a secretary who shall also be designated as the State Supervisor of Parole and as such charged with the duties of supervision of parolees as herein-after set out, and such other employees as may be necessary.



"Sec. 5. Organization of Board. The Governor shall designate the Chairman of the Board who shall serve during said member's tenure of office. The Chairman may assign individual members such special duties as may be deemed expedient to its functioning in accordance with the rules and regulations hereinafter provided.

"Sec. 6. Removal of Board Members. If any member of the Board shall be guilty of malfeasance, misfeasance or non-feasance in office or shall become incapable or unfit to discharge his official duties, or shall wilfully fail, refuse, or neglect the discharge of the duties of his office, such member may be removed from office by impeachment by the Legislature.

"Sec. 7. Location of Board. The Board shall maintain offices at such place as shall be found most convenient and appropriate for the performance of its duties where it shall meet at such times as may be necessary for a full and complete study of all inmate cases and for the transaction of such other business as may come before it. Other times and places of meeting, in accordance with rules and regulations hereinafter provided, may be fixed by the chairman of the Board, or by any two members thereof. A majority of the Board shall constitute a quorum for the transaction of business and no order of the Board shall be valid unless concurred in by at least two of its members. The Board shall make all necessary rules and regulations governing the discharge of its duties, insofar as they do not conflict with the provisions of this Act.

"Sec. 8. County Parole Boards. In further aid of this Act, and for the protection of the public and parolees under it, the Governor of Texas, may, when it takes effect, and every two years thereafter, appoint in each county of this State, not less than three nor more than ten citizens who shall constitute the County Parole Board of the county designated. Persons thus appointed shall be of known integrity and unimpeachable character, have the welfare of society and the rehabilitation of parolees at heart. They shall organize immediately after their appointment by the selection of one of their number chairman and another secretary. It shall

be the duty of the secretary to immediately notify the Board of Pardons and Paroles of the organization of the Board, the names of its chairman and secretary, and the names and address of each respective member thereof. Each member shall qualify by taking the Constitutional oath of office and file the same immediately with the Secretary of State of the State of Texas, who shall then issue a commission of office to each member, signed by the Governor of Texas, attested by the Secretary of State of Texas and the seal of the State of Texas shall be affixed thereto. No fee shall be charged for this service by the Secretary of State. Members of County Parole Boards shall serve without pay. It shall be the duty of the Secretary of each Board to keep a permanent record of all proceedings of his Board.

"Sec. 8a. Parole Supervisor. For the purpose of directing and assisting parole officer, county parole Boards, or other supervisory agencies, now or hereafter created, the Board shall designate the Secretary of the Board of Pardons and Paroles as State Parole Supervisor, who shall have had experience in probation or parole supervision and shall have been a citizen of Texas for at least two years. He shall perform such duties as are prescribed by law or the Board and shall receive an annual salary of Five Thousand Dollars.

"Sec. 8b. Duties of Parole Supervisor. It shall be the duty of the State Parole Supervisor, in addition to complying fully with all provisions relative to his office and mentioned elsewhere in this Act, to keep a register of all paroles; to see that all provisions of this Act relative to prisoners released and at liberty on parole are faithfully carried out and observed; to counsel and advise, at such times as may be necessary, all such prisoners in the manner of rehabilitation best suited to each, and to endeavor, in so far as possible, to secure employment for all such prisoners before their release on parole.

"Sec. 8c. Parole Officers. For the purpose of supervision of persons on parole it is hereby provided that any probation officers paid out of state funds shall also serve as parole officers. This shall apply to any such officers now existing, or to be created

by subsequent enactment. It is specifically provided that if enabling statutes are enacted to place in effect the Constitutional Amendment voted by the people of Texas in 1935, amending Article IV of the Constitution by adding thereto between Sections 11 and 12 a new section known as Section 11a, which authorizes District Judges having criminal jurisdiction to place defendants on probation, that any probation officers appointed under such an act are hereby declared Parole Officers and subjected to duties to be imposed by the Board of Pardons and Paroles and the State Supervisor of Paroles. Any such probation officer hereinabove referred to shall be referred to as a probation and parole officer.

"Sec. 9. Duty of Board. It shall be the duty of the Board to determine which prisoners serving sentence in the penitentiary of this State, or any branch thereof, shall be released therefrom before the expiration of their maximum terms, under the provisions of this Act.

"Sec. 10. Regular Meetings. At such times and places as may be necessary, the Board shall hold regular meetings for the purpose of determining which of the eligible prisoners shall be paroled and, at each meeting, may cause such prisoners to personally appear before it, or any designated member thereof, for interview. There shall be at hand at such interview a complete and detailed case history of each prisoner.

"Sec. 11. Consideration for Parole. In the consideration of cases for parole, the Board shall determine from probation and parole officers, where practicable, and from county parole boards such facts regarding the applicant for parole as cannot be determined from the official court records. Such reports shall attempt to determine the home conditions of the applicant, the probability of obtaining employment and the desirability of his returning to his former home, and such other information as the Board may require. In addition, the docket shall contain the report of the Bureau of Classification together with the prisoner's record with such comments as the Warden or General Manager of the Penitentiary shall have to make. After notification, the county parole board shall have ten days in which to reply to notice that

certain prisoners or prisoner are being considered for parole.

"Sec. 11a. Pardons. In consideration of applications for pardons the Board shall consider the facts as to guilt or innocence of such person, or unusual, outstanding and meritorious public service performed which deserve special consideration and clemency.

"Sec. 11b. Power of Board. The Board shall have the power at any time to recommend any form of clemency, conditional or otherwise, they may see fit irrespective of the proportion or amount of the sentence served, except as hereinafter provided.

"Sec. 12. Duty of Prison Manager. It shall become the duty of the General Manager of the Texas Prison System, in so far as his records will allow, to provide the Board with a complete social and criminal record of each prisoner in his charge, including all data assembled by the Bureau of Classification, together with a record of such prisoner's previous arrests and convictions, a statement of his physical and mental condition and a complete and detailed record of his conduct while in prison.

"Sec. 12a. Furnish List of Eligibles. The Prison Manager shall, on or about the first day of each month, report to the Board the names of all prisoners who will become eligible for consideration for parole within the next sixty (60) days, and whose names have not been previously reported by him for said period.

"Sec. 12b. Supply Prisoners with Application Forms. The Prison Manager shall cause to be printed blank applications for parole and furnish same to prisoners in the penitentiary at least sixty days before they become eligible to be considered for parole. The form of the application shall be prescribed by the Board.

"Sec. 12c. Applications for Paroles. Any prisoner may make application for parole at least thirty (30) days before he will become eligible to be considered for parole, if he desires to do so. However, each prisoner when eligible shall be considered for parole by the Board whether he applies for same or not.

"Sec. 13. Eligibility for Parole. Every Prisoner sentenced to an indeterminate sentence and now confined in the penitentiary, or hereafter sen-

tenced thereto on an indeterminate sentence, when he shall have to his credit a period of time equal to the minimum term of the sentence imposed upon him for the crime, or crimes of which he was convicted shall be eligible for parole and every prisoner now confined in the penitentiary on a definite sentence, shall, under the provisions of this Act, be deemed eligible for parole when he shall have to his credit a period of time equal to one-third of the term, or terms, for which he was sentenced, except as hereinafter provided.

"Sec. 13a. Eligibility of Long Term Convicts. Every prisoner sentenced to an indeterminate sentence, the maximum term of which is thirty (30) years or more, and now confined in the penitentiary, or any prisoner hereafter sentenced thereto on such indeterminate sentence, and every prisoner sentenced to a definite sentence, the term of which is thirty (30) years or more, and now confined in the penitentiary, or any prisoner hereafter sentenced thereto on such definite sentence, when he shall have to his credit a period of time equal to ten (10) years, shall be deemed eligible for parole.

"Sec. 13b. Escapee's Eligibility. No prisoner incarcerated in the penitentiary of this State, who is guilty of escape shall become eligible for parole except at the discretion of the Board.

"Sec. 13c. Commutation from Original Death Sentence. No prisoner whose sentence has been commuted to life imprisonment from an original death sentence shall become eligible for parole until ten (10) calendar years have elapsed from and after the date such life sentence became effective.

"Sec. 14. Furloughs—Only Emergency Granted. It is hereby provided that the Governor may, upon the recommendation of the Board or a majority thereof, grant furloughs in emergency cases. The Board alone shall determine in each instance whether the case is an emergency one; but in no event shall furloughs be recommended and granted for more than thirty (30) days at any one period and not more than two thirty (30) day furloughs shall be granted to any one prisoner over a period of six (6) months. Provided further that the time spent on furlough by a convict shall not be credited as time served

on his sentence. Applications for furlough shall be given preference on the docket of the Board.

"Sec. 15. Mandatory Interview by Board. It shall be mandatory upon the Board, or any designated member thereof, to personally interview each prisoner within not to exceed ninety (90) days after such prisoner has, under the terms of this Act, become eligible for parole. In considering a prisoner for parole, the Board shall comply with all provisions of this Act governing this action and shall duly consider among other things the prisoner's conduct while in the penitentiary; his ability to tell the truth; his perspective, insofar as can be determined, in regard to his crime and all factors relative thereto; his record, if he is a recidivist, during any and all former incarcerations; his possibility of obtaining suitable employment upon his release; the report of the parole supervisor or County Parole Board to whom he may be paroled; whether he has profited by his stay in the penitentiary and whether he is likely to commit another unlawful act after his release.

"Sec. 16. Prisoners Violating Prison Rules. If any prisoner to whom parole is allowed shall, before his release thereunder, violate any of the rules or regulations of the penitentiary, the action of the Board shall become null and void, and such prisoner shall not again be considered for parole until he has, under the provisions of this Act, once more become eligible.

"Sec. 17. Conditions of Parole. The Board shall, upon granting a parole to any prisoner, impose such conditions as it may deem right and proper in each particular case. It shall be the duty of the Board to specify in writing the conditions under which a prisoner is released on parole and to present such prisoner with a copy of such conditions, the original of which shall be filed in the Bureau of Records and Identification of the State Penitentiary at Huntsville, Texas, a copy to the Secretary of the County Parole Board to whom such prisoner may be paroled, and a copy of which shall be retained by the Board for its file in each case. The Board shall adopt general rules with regard to conditions, of parole and violation of same, and may make special rules to govern or apply to particular cases. Such rules shall include that, among other things, the prisoner released shall abandon

evil associates and ways, contribute to the support of his dependents, if any, carry out the instructions of the parole supervisor or county parole board and report as required, when and by such methods as shall be specified, conduct himself in all ways in an exemplary manner and remain in the State unless privileged by the Board to journey elsewhere.

"Sec. 18. Clothing, Transportation Money to be Furnished Parolee. Whenever, under the provisions of this Act, any prisoner is released on parole, penitentiary authorities shall furnish and provide each prisoner with a like suit of clothes as is given a discharged prisoner, together with a railway or bus ticket, from the place of his release to the place of his conviction and sentence, or to any place in the State designated by the Board, and the sum of Ten Dollars (\$10.00) in cash.

"Sec. 19. Lapse of Parolee. If the parole supervisor shall have reasonable cause to believe that the prisoner at liberty on parole has lapsed or is about to lapse into criminal ways or company, or has violated the conditions under which he is at liberty, he shall personally conduct an investigation into the matter; and if in his judgment the welfare of society demands it, he may under his authority as parole supervisor immediately arrest such parole violator and return him to prison, or the Board may, if its findings so dictate, issue a warrant causing such prisoner to be retaken and returned to the main branch of the penitentiary of this State. It shall become the duty of any officer authorized to serve criminal process, or any peace officer to whom such warrant shall be delivered, to arrest such prisoner and deliver him to an agent of the penitentiary who shall return said prisoner to the main branch of the penitentiary as designated in said warrant, where such prisoner shall await the action of the Board.

"Sec. 20. Hearing for Parole Violator. When a prisoner is returned as a parole violator the Board shall, as soon thereafter as practical, consider the case of such violator when so requested by the prisoner whose parole had been revoked who shall be allowed to personally appear before it and explain the charges made against him. The Board shall then act upon the charges in accordance with its findings

and may, if its findings so dictate, cause such violator to serve out the remainder of his original maximum term, and time owed shall be counted as from the date such prisoner was released on parole.

"Sec. 21. Computing Prisoner's Time. In computing a prisoner's time served, under the provisions of this Act, all commutation time and overtime which such prisoner may have earned for good behavior and for overtime service under the laws of this State shall be considered, except as hereinbefore specified.

"Sec. 22. Felony Committed on Parole. Any prisoner convicted of a felony committed while at liberty on parole shall be made to serve, in addition to the term or terms which may be imposed upon him for such felony, the remainder of the maximum term of his original sentence, or such portion thereof as the Board may deem right and proper, and no such prisoner shall again become eligible for parole except at the discretion of the Board.

"Sec. 23. Discharge While on Parole. No prisoner at liberty on parole shall be discharged, pardoned, or in any other manner released from the conditions of his parole prior to the expiration of the maximum term of his sentence, except in such cases where the Board, after a complete and detailed investigation, shall have determined that such action is in the best interests of both Society and the Prisoner, but in no case shall this apply until the prisoner has faithfully complied with the terms of his parole for a period of at least two (2) calendar years. The Board, however, may allow a prisoner to cease reporting and may also allow such prisoner to leave the State and country.

"Sec. 24. Restoration of Citizenship. Any prisoner at liberty on parole, having conducted himself in all ways in an exemplary manner for a period of not less than two (2) calendar years immediately succeeding his release, may present to the Board a certificate attesting to such conduct signed by twelve good and well-known citizens of his place of residence during such two-year period. The good standing of such citizens, as well as the authenticity of the signatures affixed thereon, must be certified to by the county judge of the county wherein they reside. Such prisoner may then be entitled to the restoration of his citizenship and full rights and privi-

leges of suffrage as provided by the laws of this State; and the Board may, after investigating such facts, and finding no fault therewith, recommend that such rights and privileges be restored to such prisoner, whereupon the Governor may issue a proclamation to this effect.

"Sec. 24a. Filing of Proclamation. Hereafter, the Governor of the State of Texas shall file with the Secretary of State a copy of the Proclamation or other form of release setting forth the reasons for granting clemency or the refusal of clemency to certain convicts and said record shall be open to public inspection at any and all times.

"Sec. 25. Appropriation. That the several sums of money herein specified or so much thereof as may be necessary, are hereby appropriated out of any moneys in the State Treasury not otherwise appropriated, for the support and maintenance of the Board of Pardons and Paroles until September 1, 1937:

1. Board members, three	\$ 7,500.00
2. Secretary	2,500.00
3. Assistant Secretary	1,800.00
4. Chief Clerk	750.00
5. Stenographers, four, three at \$105.00 per month, one to be a man, who shall have qualifications of a Court Reporter, at \$150.00 per month	3,255.00
6. File Clerk at \$105.00 per month	630.00
<b>Total Salaries</b>	<b>\$16,435.00</b>
1. Stationery, printing, postage, telephone, telegraph, office equipment and supplies, porter hire and contingent	\$ 3,000.00
2. Traveling expenses of members of the Board, Secretary or other authorized representatives	3,500.00
3. Office rent if Board of Control unable to furnish suitable offices in the Capitol or other State Building	1,200.00
<b>Total Miscellaneous</b>	<b>\$ 7,700.00</b>
<b>Grand Total. Salaries and Miscellaneous</b>	<b>\$24,135.00</b>

"Sec. 26. Intent of Legislature. If any section, paragraph, part, sentence, clause or phrase of this act shall be held unconstitutional, it shall not affect the validity of the remainder and the Legislature hereby declares that it would have passed each and every section, paragraph, part, sentence, clause and phrase of this Act severally.

"Sec. 27. Emergency Clause. The fact that the voters of the State of Texas, at the last general election, expressed their approval of a change in the pardon and parole system of this State, and the fact that there is no law in effect and force at this time relating to same, and the further fact that there is now no law in effect to govern the new Pardon and Parole Board, creates an emergency and an imperative public necessity that requires the Constitutional Rule requiring bills to be read on three several days before passage be suspended, and it is so suspended, and this Act shall take effect from and after passage, and it is so enacted."

Mr. Alexander offered the following amendment to the committee amendment:

Amend committee amendment No. 1, to Senate Bill No. 1, as follows:

Strike out the first sentence of Section 7 and insert in lieu thereof the following: "The Board shall maintain its offices at the Main Branch of the Penitentiary at Huntsville, Texas."

Mr. Fox offered the following substitute for the amendment to the committee amendment:

Amend committee amendment No. 1 to Senate Bill No. 1, as follows:

Amend the committee substitute for Senate Bill No. 1, by striking out the first sentence of Section 7 and insert in lieu thereof the following: "The Board shall maintain its offices in Austin, Texas."

FOX,  
THORNBERRY,  
TENNANT.

Mr. Derden moved to table the substitute amendment.

The motion to table prevailed.

Mr. Harris of Dallas offered the following substitute for the amendment to the committee amendment:

Amend committee substitute for Senate Bill No. 1, by striking out the

first sentence of Section 7 and insert in lieu thereof the following:

"The Board shall maintain offices in Oak Cliff, Texas, at the Medical Dental Building."

HARRIS of Dallas,  
STINSON,  
BOYER,  
HANNA,  
THORNTON,  
JONES of Angelina.

On motion of Mr. Alexander, the substitute amendment was tabled.

Question—Shall the amendment to the committee amendment be adopted?

#### RECESS

On motion of Mr. Hardin, the House at 12:10 o'clock p. m., took recess to 2:00 o'clock p. m., today.

#### AFTERNOON SESSION

The House met at 2:00 o'clock p. m., and was called to order by the Speaker.

#### IN COMMITTEE OF THE WHOLE HOUSE

(Mr. McKinney in the Chair.)

At 2:00 o'clock p. m., Mr. Talbert moved that the House resolve itself into a Committee of the Whole House, for the purpose of hearing the contest of election heretofore filed by Hon. E. E. Hunter against Hon. John K. Russell.

The motion prevailed.

The House, accordingly, at 2:00 o'clock p. m., resolved itself into a Committee of the Whole House.

#### IN THE HOUSE

(Speaker in the Chair.)

At 6:45 o'clock p. m., Mr. McKinney, Chairman of the Committee of the Whole House, reported to the House that the Committee of the Whole House had completed its labors and recommended the adoption of the following by the House of Representatives:

"That Honorable John K. Russell, be seated as the regularly elected Representative from the Ninety-ninth Representative District, of the House of Representatives of the Forty-fifth Legislature and that the contest of election be dismissed."

On motion of Mr. McConnell, the House of Representatives adopted the recommendation of the Committee of the Whole House.

#### ADDITIONAL QUESTIONNAIRES FILED

(1) Max W. Boyer.

Perryton, Texas.

Representative of District No. 124.

(2) Lawyer.

(3) None.

(Signed) MAX W. BOYER.

Sworn and subscribed to this the 17th day of February, 1937.

(Seal)

HOMER THORNBERRY,

Notary Public, Travis County.

(1) Jesse James.

Cameron, Texas.

Representative of District No. 65.

(2) Business.

(3) None. My heart throbs and beats in tune with the plain people.

(Signed) JESSE JAMES.

Sworn and subscribed to this the 18th day of February, 1937.

(Seal)

ADELE JACOBS,

Notary Public, Travis County.

(1) Leland M. Johnson.

Waxahachie, Texas.

Representative of District No. 100.

(2) Teacher.

(3) I have never nor do I now receive a retainer from anyone.

(Signed) LELAND M. JOHNSON.

Sworn and subscribed to this the 18th day of February, 1937.

(Seal)

ADELE JACOBS,

Notary Public, Travis County.

(1) L. M. Kenyon.

Galveston, Texas.

Representative of District No. 17.

(2) Lawyer.

(3)

(Signed) L. M. KENYON.

Sworn and subscribed to this the 8th day of February, 1937.

(Seal)

ADELE JACOBS,

Notary Public, Travis County.

(1) Louis Lankford.

Commerce, Texas.

Representative of District No. 42.

(2) Teacher.

(3) I have never received a retainer or salary from any corpora-

tions, association or organization at the time of taking the oath of office or no other time in my life.

(Signed) LOUIS LANKFORD.

Sworn and subscribed to this the 17th day of February, 1937.

(Seal)

ADELE JACOBS,  
Notary Public, Travis County.

(1) Jap Lucas.

Athens, Texas.

Representative of District No. 54.

(2) Ex-Telegraph Operator.

(3) None.

(Signed) JAP LUCAS.

Sworn and subscribed to this the 17th day of February, 1937.

(Seal)

ADELE JACOBS,  
Notary Public, Travis County.

(1) Helmuth H. Schuenemann.

Kenedy, Texas.

Representative of District No. 79.

(2) Attorney.

(3) None.

(Signed)

HELMUTH H. SCHUENEMANN.

Sworn and subscribed to this the 18th day of February, 1937.

(Seal)

ADELE JACOBS,  
Notary Public, Travis County.

(1) J. Harvey Shell.

Gregory, Texas.

Representative of District No. 70.

(2) Farmer.

(3) None.

(Signed) J. HARVEY SHELL.

Sworn and subscribed to this the 18th day of February, 1937.

(Seal)

ADELE JACOBS,  
Notary Public, Travis County.

#### ADJOURNMENT

On motion of Mr. Kern, the House at 6:50 o'clock p. m., adjourned until 10:00 o'clock a. m., Friday, February 19.

#### APPENDIX

#### STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills as follows: Conservation and Reclamation: House Bill No. 254.

State Affairs: House Bill No. 202.

#### REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,

Austin, Texas, February 17, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 120, A bill to be entitled "An Act amending Article 802, Penal Code of Texas, 1925, as amended by Chapter 424, Acts, First Called Session, Forty-fourth Legislature, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

#### REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,

Austin, Texas, February 18, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 89, "An Act making it unlawful to take or kill wild deer or wild turkey in the Counties of Harrison, Marion, Cass, Brown, Coleman, Mills or Bowie for a period of five (5) years; prescribing penalty for violation of this Act, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, February 18, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 36, Instructing the Enrolling Clerk of the House to make certain correction in House Bill No. 89.

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

#### TWENTY-THIRD DAY

(Friday, February 19, 1937)

The House met at 10:00 o'clock a m., pursuant to adjournment, and was called to order by Speaker Calvert.